173 that in those days it was important "to have men to go to
*613 war; Hajj 'Ali came from the Sinai with many men and wrote
619 his name into the books of Lazumi." Today, in the Lazumi
597 genealogy Hajj 'Ali's name appears as the brother of Taram,
[114] both are claimed as sons of Mighawsiz. This kind of data is difficult to uncover and I may have missed gathering other cases of ideological kinship ties.

*613 The specific unilinear principle which operates in
•[171] al-Qasr is partrilineality, common to the Middle Eastern culture area. A corollary principle is the corporate group.
*613 Together, these two rules structure the social world of the
571 individual and effectively define a range of social choices for him. The individual's social relations and social roles are relative to the rights and obligations of the people related to him through his father. In a sense, the social world for the individual in al-Qasr is his father's group and its network of relationships with other similar groups; he would not think of leaving this group of his own free will though, in reality, he could. The Bedouins believe
[181] that a man cannot be happy if he lives with strangers, i.e.,
[829] outside his corporate group. This value holds up today to the extent that a man will expect his son to return to the desert even after his education as a merchant, a government clerk, or an army officer.

Structural differentiation in al-Qasr is not solely

'Ali tribe. There is one lineage, the Sulwatiyya shown in Figure 7a, which does not claim descent from Sa'ada and hence are no relations of the Awlad 'Ali Bedouin. Nor are any serious ideological claims for tribal membership provided by them or their Awlad 'Ali neighbors. The first social differentiation found in al-Qasr, then, is between those who belong to the Sa'adi tribes and those of the Marabit tribes. In terms of Bedouin social ideal types, the Sa'adi tribesmen are warriors, known for their courage and generosity; the Marabit tribesmen are weak and dependent on the protection which the Sa'adi offers them. The Marabit tends to specialize in the role of "holy man." The dichotamy here is a reflection of the structural differentiation, common to North Africa, between sacred and secular tribes, or client and protector tribes.

The Sa'adi-Marabit division in al-Qasr is defined geographically, in name, and in Bedouin tradition and myth. Here is the way in which the Marabit "holy man" of al-Qasr conceives of the difference between the two types and its origin:

> They are brothers and there is no difference. The Sa'adi is always one step in front of the Marabit, he handles things for the Marabit and helps him. In political matters the Sa'adi is more advanced . . . When the Marabit is in trouble, the Sa'adi will defend him. They are two different groups because the Sa'adi are from one mother. Once Sa'ada was riding in a caravan through the desert.

619 study of the whole Western Desert, or in an analysis of
*613 contemporary politics in Marsa Matruh.

The Bedouins of al-Qasr are, in this study, the 'Aishaibat of the 'Ali Ahmar of the Awlad 'Ali tribe. The
● [191] Bedouin tribal unit throughout the Middle East is described as a segmentary lineage system. Something of the meaning of this concept has already been made clear in our discussion of the structural principles of Bedouin society. This type
[114] of society has been adequately analyzed by Evans-Pritchard (1940), Fortes (1945 and 1949), Smith (1956), Middleton and Tait (1958), and Peters (1960). My own ideas about the segmentary lineage society as it functions in al-Qasr derive from these sources.

*613 Politically, the 'Aishaibat of al-Qasr are a stateless
571 society; they have no centralized political institution. The
642 lineage system is the structural framework for social and political relations. The basis of government, i.e., the regulation of authority relations, is the balanced protraction of corporate groups which support institutional uniformities in the form of similar organization, ideology and procedure (Smith 1956). Although the various groupings of the segmentary system can be analytically identified, and each grouping thinks of itself as a distinct group, in actuality, it is difficult to define the groups because of the way in which each fuses into lesser or greater differentiated units in one

1: Obermeyer E-5 (1964-1965) 1969 MT9 Libyan Bedouin MT9
'Aishaibat

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ing to harden social barriers" (Fortes 1953:29).

Wood (1959:74) notes that only 13.3 per cent of the marriages in a Palestinian Arab village, and 9.1 per cent of the marriages in a Syrian Druze village were parallel-cousin marriages. But although parallel-cousin marriage was infrequent, marriage within the secondary group was consistently high. This is true in general for the Middle East. Baer (1964:64) reports that 62.2 per cent of all the marriages in a southern Iraqi village were between members of the secondary group. Rosenfeld (1957), in a comparative study of three Palestinian villages, found the frequency of parallel-cousin marriage to be less than 13.0 per cent in all three villages while the frequencies for intra-secondary group marriage were 33.7 per cent, 31.5 per cent, and 55.8 per cent.

The function of parallel-cousin marriage has been variously explained. The early Orientalists claimed that this form of marriage "strengthened kin ties and kept property in the family" (Westermarck 1925:151). It was noted that the ties between cousins are stronger than those between spouses, that "blood ties are indissoluble but that of matrimony is very precarious" (Lane 1908:161). Patai (1962:170-173) seems to make parallel-cousin marriage a condition for society in the Middle East: this type of marriage functions to keep property in the family; it assures continuation of group harmony in that it presents no new adaptive social situations;

593 family is a dominant-subjective one. But the rights and duties of the father have no legal sanctions. His authority grows out of the moral and mutual dependence, the common interests and value, which hold the family together. The 593 authority relations learned in the family become the norms 183 of behavior to be applied by the individual in a wider-scale 867 network of social relations. The son learns the discipline-respect relationship which is the model of behavior between generations. The subjective role which the daughter plays in the father-daughter relationship prepares her for the role of wife.

Marriage and Kinship Relations

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The parallel-cousin, the father's brother's daughter, is the preferred mate in Bedouin marriage. Parallel-cousin marriage in al-Qasr is more of an ideal than a practice. In fact, parallel-cousin marriage is not practical in the case where social order depends upon the integration of a larger and clearly segmented population. Endogamy of this kind in this type of society works against survival in a double-edged way: economic security through cooperation with a larger group is discouraged, and political security through 171 coalition is undermined. In the Middle East, as elsewhere, 582 cross-cousin marriage is the normative practice which functions "as a counterweight to the tendency of unilineal descent group-

582 and, the individual has been socially conditioned to prefer
171 his father's brother's daughter.

582 All of these explanations are as plausible as they
183 are obvious. They are, in fact, the same explanations which the Bedouins themselves offer for their marriage ideal. But one cannot help noticing that the explanations offered actually concern an ideal in Bedouin social behavior, and not a practice. Theories showing the logic of parallel-cousin marriage are placed along side the fact that this type of marriage is statistically atypical.

582 If, as Islamic Law decrees, the daughter did inherit
428 some share of her father's property, then parallel-cousin
[691] marriage as an attempt to keep land in the tertiary group would be logical. But we know that usually the sons inherit all of the father's property, Islamic Law to the contrary (Levy 1957:245-246). In this case, parallel-cousin marriage can only be seen as an ideal which functions side by side with the other ideal of a girl's right to inherit.

582 Barth (1954), and Murphy and Kasdan (1959) have
171 stressed the political advantages which attach to parallel-cousin marriage in the context of factional struggle. The general idea is that political differentiation between collateral branches of the lineage structure is intensified and political autonomy enhanced by the practice of turning affinal bonds inward. Parallel-cousin marriage then has the opposite

582 effect of cross-cousin marriage which is a way for kinship
●171 groupings to interrelate and to increase the integration of a larger population.

582 171 114 Such an explanation of parallel-cousin marriage may suffice for an analysis of politics in the tribal mountain villages of Kurdistan. Because Barth (1954:68) found that 48.0 per cent of the Kurd marriages were with the father's brother's daughter, we must assume that this type of relationship is politically significant. But we must question the fact that Murphy and Kasdan arrive at the same conclusion when dealing with parallel-cousin marriage as an abstract concept. If this type of marriage is really politically rational behavior, then it should be the normative practice in the Middle East. In other words, Murphy and Kasdan are explaining a phenomenon which exists only as a cultural ideal, and one which may have never really been a general practice at all--except in those few cases of adaptation to ecological extremes, such as pure nomadism and mountain tribalism. The few records which we have on the marriage practices of pre-Islamic and early Islamic Arabia indicate that parallel-cousin marriage was highly atypical in the Mecca and Hijaz areas. For instance, of the 71 marriages recorded for the Quraish only 9 were with father's brother's daughter and 32 of them were within the secondary group. In the Hijaz, only 15 of 113 marriages, or 3.3 per cent, were with the parallel-cousin (Patai 1962: Ch.6).

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•171 (Patai 1962:Ch. 6).

The point of this is that most of the Middle East's inhabitants are villagers dependent upon agriculture. The dominant form of marriage is not parallel-cousin marriage. As a matter of fact, marriage may or may not be considered exogamous depending upon the level of segmentation at which one wishes to draw the line for his definition of endogamy. Ayoub (1959) suggests that parallel-cousin marriage be considered only as an extreme expression of an overall preference for endogamy. She found in a sample of 514 marriages from a Syrian village that 9.1 per cent of them were with the parallel-cousin while 63.4 per cent were within the secondary group. She concludes from this that intra-lineage marriage is frequent enough that it cannot be accounted for by random mate selection.

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*[613] In 'Ailit Ma'fas of al-Qasr, out of 197 recorded marriages over a period of five generations the frequency of parallel-cousin marriage was 11.1 per cent and marriage within the lineage was 41.6 per cent of the total. Of these 197
[595] marriages, only 39 were cases of polygny and most of these involved a man taking two wives (see Table 5 below).

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196 The confusion over the presence or absence of parallel-cousin marriage in the Middle East is related to the question of whether or not the researcher and the native are talking about the same thing. In Qasr, for instance, the term

[TEXT CONTINUED ON PAGE 116]

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> a tradition is not a mere observed fact like an existing custom . . .; it is an idea which expresses a value judgment. A certain way of acting is regarded as right; a certain order or arrangement is held desirable. The maintenance of the tradition is the assertion of this judgment (Radin 1935:63).

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For al-Qasr, I have traced social ideas, social action, and social order to a central traditional value which promotes group consciousness, solidarity, and corporateness. Such a value does not derive from Islam, for Bedouin tradition preceded Islamic tradition, and much of the latter derives from the former. According to Robertson Smith (1903:26-62), the structurally significant unit in pre-Islamic Arabia was the hayy: "a collection of people of the same blood" who lived together and fought together. But, that which actually bound the members with a sense of corporateness to the hayy was the law of blood-revenge. For Smith, the key element in the Bedouin corporate group was the existence of a covenant of blood responsibility. The group was bound by a compact of mutual responsibility, the group had rights in rem over its members, and within the group there could be no blood-feud. Around this idea of mutual responsibility revolve the traditional values which are the basis of corporate grouping in Bedouin society: "The greater part of the traditions of the Arabs turns on blood-revenge and war . . . " (Smith 1903:26).

Smith developed his analysis of Arabian society in terms of certain structural principles: patrilineal ideology,

121 residence, cognatic ties, and contractual relations are all
181 seen to be structurally important in early Arabian society.
621 Structural differentiation into groups is based on the
571 lineage principle and sustained through "the law of blood-
•171 revenge." And it is important to note that the hayy was
characterized by a structure of authority, it was "guided
in war and on the march by one chief" (Smith 1903:44). The
121 law of blood-revenge as an expression of group rights in rem
621 and a system of mutual protection point up the importance of
571 contractual relations in Bedouin society. Whether or not
675 real blood ties are involved, a contract must be present or
there can be no corporate group. Contract legitimizes authority
and provides the basis for the lateral extension of the group;
it is primary though it functions coordinately with a principle
of cognation, residence, adoption, etc. Contractual ties
121 operate outside of kinship at times but will always be validated
621 by it eventually, "for a legal fiction is always adopted to
571 reconcile an act with a principle too firmly established to
675 be simply ignored" (Smith 1903:62). "Blood brothers," in
608 al-Qasr, are defined both biologically and ideologically. As
597 noted in the case of al-Qasr, there were at least three cases
[602] of contractual adoption in which one individual and two whole
corporate groups "wrote their names into the books of the
'Aishaibat tribe" (katab jinnsiyya 'Aishaibiyya). The integra-
tion or adoption of elements in al-Qasr takes place on the

000 to possess the wisdom which it takes to regulate conflict.
*613 Theoretically, as one 'aqila said, conflict should be stopped
578 at the familial level, either by the father or the paternal
593 uncle, and should never reach the level of the 'aqila. Once
[604] before the 'aqila, conflict assumes new structural poses, or different orientation in authority relations. Authority here is differentiated in terms of the context: the father's authority relates to the familial structural level, and beyond this level the father per se cannot exercise legitimate authority.
*613 The 'aqila, who is responsible for internal order and external
578 relations exercises legitimate authority at each level of the
182 political structure. The authority of the 'aqila is checked and prevented from growing into naked power in that any single 'aqila must consult with the other 'awaaqil of the secondary segment concerning matters which may concern the structural nature and continuity of the group.

*613 In many respects, the authority structure in al-Qasr
559 corresponds to that defined for the Lugbara of Uganda
571 (Middleton 1960). The structural levels (see Figure 7 above)
•171 of 'Ailit Ma'fas (secondary), Bait 'Umar (tertiary), and 'Ait Abd al-Malik (sub-tertiary) are approximately equivalent to Middleton's major, minor, and minimal lineages (1960:7-9). But
[596] whereas among the Lugbara authority roles are purely kinship roles, i.e., genealogically senior heads are responsible for internal control and representation, among the Bedouins of

*613 554 591 171 596 al-Qasr there is definite role differentiation between the shaib and the 'aqila. The incumbents of the two roles may have exactly the same genealogical position in the tertiary segment, but they will never have the same social status. There are as many elders as there are households, but there is only one 'aqila for each group. Another difference between the Bedouins and the Lugbara is that in the latter society a kinship role which doubles as an authority role does not occur above the familial (i.e. shaib) level.

*613 554 596 The difference between the shaib and the 'aqila is the distinguishing factor between informal and formal social control. The shaib acts in accordance with the values implied by Bedouin authority structure: the action of the 'aqila is legitimate in the explicit terms of the Bedouin authority structure. These two spheres of political action represent familial and internal (or domestic) levels of authority and authority relations. Legal matters which affect the whole tertiary segment are dealt with at the internal level.

629 596 685 Affairs of a purely personal nature and of lesser importance are dealt with at the familial level of authority. For instance, it happened that the dog of one man killed a neighbor's chicken. No one sent for the 'aqila. They sent for the shaib of the woman who owned the chicken, i.e., they sent for her husband. He spoke to the woman, his wife, to determine the value of the chicken and this price he demanded as compensation

Law and Political Order: 'Awaiyid Awlad 'Ali

671 [672] A "holy man" in al-Qasr, who has intimate knowledge of both the Quran and Bedouin law, has this to say on the subject of the 'awaiyid Awlad 'Ali:

671 •171 The Sharii'a (Islamic Law) was given by God, and it guides man concerning what is good and what is bad: it is for all Muslims. The 'awaiyid was made by man for the Bedouins: it is for settling problems and evaluating damages. The 'awaiyid is natural, made by man and the Awlad 'Ali for settling the problems of the Bedouins. It is different from the Sharii'a. The Awlad 'Ali made the 'awaiyid, not the ashraaf ("holy men"); but the "holy men" approved it. The 'awaiyid agrees with the Sharii'a, but not in everything for it is not from the Sharii'a. Shari'it Muhammad ("the law of the Prophet") is one thing and the 'awaiyid is another. The Sharii'a says an eye for an eye, a tooth for a tooth, and a life for a life: the 'awaiyid also says an eye for an eye, a tooth for a tooth, and a life for a life, but in a different way: the 'awaiyid involves money. The 'awaiyid judges a situation; the dhabiiha ("blood sacrifice," usually a lamb as an expiatory fee) and the fine are paid and the problem is solved . . . The 'aqila is better than the government for settling problems in the desert. The government may put a man in prison, and if he dies there you will be responsible to his father and brothers. There is a more liberal judgment here in al-Qasr, and God prefers that we settle our problems through peace . . . If a man dies in prison, it is no sin before God but the Bedouins consider it a sin.

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671 At the present time, the customary law of the Awlad 'Ali prevails in al-Qasr, and, I suspect, this body of legal and moral norms will be the basis for Bedouin social and political action for some time in the future. In any case, it furnishes us with a base-line from which any future studies of social

of the group, of joining a new group, or of becoming a man, all refer to the notion of sharing in the payment of the diiya. All obligations and sanctions which carry the force of law in Bedouin society also are directly related to compensation and retaliation. Weber (1954:110) has stated the general case: "The wergilt debt as set by the judge was the most ancient debt and all forms of obligation have derived from it." Evans-Pritchard (1940:171) has stated the particular case: " . . . Nuer law, in so far as it applies to a study of political relations, must be treated in connexion with the blood-feud." The blood-feud and the diiya are institutions by which authority groups interact and political order is maintained. Blood-revenge, or the threat that it may take place and spread, is a most serious sanction in the Bedouin political system. Of the twenty-two cases of conflict in al-Qasr about which I have good details, nine of these deal with homicide or attempted homicide, and thirteen involve quarrels over rights to land, water, and women which could have led to violence had not arbitration succeeded. In fact, seven of the nine cases of personal injury began over property rights.

Rules regarding the diiya in Bedouin society apply at all levels of the lineage structure. This seems important to note for it points up an unusual degree of autonomous authority at the tertiary level. Research on segmentary societies has often stressed the fact that compensation is

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571 deal in the course of this discussion.

No political system can persist without a separation of duties between decision-makers and others. The specialized function of decision-making in the political sphere helps "to bring about some adjustment or accommodation in conflicting demands and to implement any settlement where necessary" (Easton 1965:206). It follows then that there is no society without some type of authority role, however simple, and, we assume, that this role can be defined.

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571 I do not consider this point a debatable one, though writings on the subject of political organization in primitive society seem to indicate that I should consider it debatable. For example, Steward (1938:247) reports on small bands of American Indians in the Basin-Plateau region who are without chiefs (leaders?). Sharp (1958:5) states that the Yir Yoront cannot tolerate even "mild chiefs"; Schapera (1956:93) notes that "chiefs everywhere in South Africa" are only part-time specialists, and this is taken to mean that the Bushman and Bergdama are without political roles. Service (1966:51) defines "leadership" as "administration" and finds that it is unstructured, which moves from one person to another, and, above all, cannot be associated with the word "chief." All

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554 of these discussions consider specialization to mean full-time spent in role-playing and the singularity of role assignment. On these bases conclusions are reached as to the presence

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> A tut in this rather wide sense of 'man of good standing,' or 'social leader' is usually a scion of an important lineage, the head of his own family, and master of his homestead and herd . . . (His) authority is never formalized. He has no defined status (i.e. specifically delimited position), powers, or sphere of leadership . . . Beyond his domestic groups a tut has authority in his village only in the sense that he takes a prominent part in questions of procedure and other discussions.

The non-institutionalized third party role in al-Qasr has power and influence in political affairs, and this condition arises from certain structural features and economic facts about Bedouin society. In a word, outside the lone formal role of 'aqila, a person's political influence is directly related to the traditional influence which attaches to his family, or to his economic status. In all cases, the person of "good" family and sufficient wealth has a high status on the social prestige scale of al-Qasr. The people who have high esteem do not have prescribed roles to play in al-Qasr, but their roles are indeed important. Furthermore, the rajal khair role can be just as important as any political role which is prescribed, and it may even become more important.

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Besides the 'aqila and the third party, there exists two external but related roles which form part of the total system of Bedouin authority. The roles of 'umda and shaikh represent institutionalized offices. They function, however, more as structural aspects of the Egyptian governmental authority structure. Of course, no complete separation between the two structures can be claimed. It is recognized

The concept of the court has been prominent in the writings of several other anthropologists besides Radcliffe-Brown and Hoebel. Bohannan (1957, 1964, 1965), Redfield (1964) and Pospisil (1958) all imply the existence of a court of some kind or another as the identifying mark of the existence of legal rules. In his attempt to distinguish between law and custom, Gluckman thought of law to exist "as a series of acceptable judgments of rightdoing and wrongdoing in particular cases" (1955:262). Custom and other social observances function as corpus juris and as such a basis for the judgment of where the behavior of one of the litigants in a case is reasonable or unreasonable, lawful or unlawful. As such, custom is a source of law, but not law itself. It becomes law when drawn upon in passing judgment in a given case. In commenting on a passage on the Nuer by Evans-Pritchard, Gluckman made it clear what he meant by the court. "This passage shows that even in a society where 'self-help' is the enforcing sanction, people judge situations of dispute in terms of rights and duties, and wrongs....Therefore, it seems fair to say that among the Nuer, though they have no courts, there is a process of judgment by mediators and ordinary people in which custom and morality as part of the corpus juris constitute 'sources of law' for particular decisions" (1955a:263).

The importance of the above passage from Gluckman is his distinction between the concept of the court and the judicial process, a distinction lacking in the writing of most other anthropologists dealing with the study of law. Failure to distinguish the two aspects of the legal system resulted in confusing a basic societal process with one of the mechanisms through which the goals of that process achieved in certain societies. In its broadest sense, the judicial process refers to the ways disputes are settled within society. Since didsputes arise out of the very nature of social interaction, some form of dispute settlement is found in all societies.

585 legal guardian and considered a bride price to compensate the father or
583 the legal guardian of the bride. In earlier times the bride received
779 none of the mahr, although she usually got a sadaq or bridal gift for
43 herself. In Islamic Arabia, the mahr and the sadaq became indistin-
[178] guishable and were given to the woman and took the form of a legal gift
[171] for affecting the marriage. The Koraan no longer contains the concept
[178] of the purchase of the wife, and the mahr becomes a compensation which the woman has to claim in all cases. The Koraan demands a bridal gift for a legal marriage: "And give them whom ye have enjoyed their reward as a wedding gift" (Sura, iv. 24), and again, "And give the women their dowries voluntarily" (Sura, iv. 3). According to the Koraan, the mahr
[586] remains the property of the wife and remains her own even if the marriage is dissolved by divorce. But although it took the form of a gift, the mahr remained in Islamic law a prerequisite for the legalization of the marriage. It is only upon the giving of the mahr that the marriage is considered valid. No marriage is legal, according to the Islamic law, unless that transfer of the mahr is affected. Mutual consent of the two parties to forfeit the mahr does not change that rule, and the mar-
58 riage is considered void. According to Muslim jurisprudence, marriage
675 is a contract ('acd) made betweeen the bridegroom and the bride or her
184 wali or guardian. An essential element in that contract is the mahr. The jurists themselves are not sure about the nature of the mahr. Some regard it as practically a purchase money or as an equivalent ('iwad) for the possession of the woman and the rights over her, so it is like a price paid in a contract of sale; while other jurists see in the mahr a legal symbol, a mark of honor and a proper legal security of property for the woman.

684 682 the husband, who reached for his gun and fired at Goma'h. Three days later the latter died in the hospital from the gun wound.

684 682 672 The case was investigated by the police and brought to trial, but the case was dismissed as justifiable homocide by reason of self defense. The tribal proceedings, however, required Ghenewa to pay the bloodmoney for intentional homocide, since the weapon used was a gun. Out of the L. 400 bloodmoney, the sum of L. 20 kabara for committing adultery with the wife was deducted. None had questioned the right of Ghenewa to kill Goma'h in the process of defending himself.

671 672 In his essay on "The Early History of Malice Aforethought" in English law, Maitland discussed the "utter incompetence of ancient law to take note of the mental elements of a crime" (1911:327). This statement seems to apply to certain aspects of the tribal law of Awlad Ali. If one causes the death of another, even accidentally, he is liable to

671 672 171 compensation. This attribute is not restricted to Awlad Ali law, for it has been documented by a number of other studies. Peristiany found this to be the case among the Potok (1954), and Dundas documented it among the Kikuyu (1921). In his analysis of injury and liability among the Barotse, Gluckman maintained that "whatever the motivation of the killer or the circumstances surrounding the deed, bloodmoney has to be paid if a member of one grouping of kinsmen was killed by a member of some other group. The mental element seems to be irrelevant. What is important is that "murder" is committed within social relationships where blood compensation is due (1963:205). Similarly, Howell gives us one of the most comprehensive accounts of the Nuer "rule of law" and

the irrelevance of intention in establishing liabilities for homocide or injuries (1954).

The neglect of intention in assessing liability in cases of homocide is evident in the cases presented above (Cases 1,2,4,5 and 6), where compensation was paid although there was no intention established on the part of the offender.

Awlad Ali use the Arabic word "katl" to refer to any killing. This is different from the word "mut" which means death by natural causes. They further differentiate between "katl 'amd," or intentional killing and "katl khata," or unintentional killing. Although reference here is made to "intention," yet, from the above cases it is evident that the basis of establishing that intention is from the type of weapon used in effecting the death of the victim. Intentional killings are those caused by a lethal weapon. Lethal weapons are defined as guns or knives. Death caused by a non-lethal weapon, no matter what the intentions of the offender, is defined as non-intentional, even when the circumstances of the act indicates the actual existence of an intention on the part of the offender to cause the death of the victim (as in Case #3 above). The assumption is that the use of lethal weapons, such as daggers or guns, implies intention and possibly a certain degree of premeditation, since these weapons have no other important use. Moreover, the probability of death by a lethal weapon is much greater than from other non-lethal weapons. These give the victim a chance to defend himself, a chance which he does not have in the cases of killing with a gun or dagger. In other words, Awlad Ali, in assessing responsibility for homocide, "operate with a legalistic psychology in which intention is is presumed from action" (Gluckman, 1963:207).

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

divine blessing, since it was because the Bedouin believed the Sanusi family had the same virtue that they accepted their leadership.

The resemblance often alleged between the Sanusi and the Wahhabi movements, on the grounds of like puritanism, literalism, and fanaticism, cannot be substantiated. It is obvious that there must be resemblances between new religious movements: they usually claim to be a return to primitive faith and morals and they are generally missionary and enthusiastic. There is no great significance in such common characteristics of the two movements. Nor is there any reason to suppose that the Grand Sanusi was directly influenced by Wahhabi propaganda. A more significant comparison between the two might be made by tracing their developments from religious into political movements. Both started as religious revivals among backward peoples, chiefly Bedouin, the Wahhabi movement in the Nadj in the eighteenth century and the Sanusi movement first in the Hijaz and then in Cyrenaica in the middle of the nineteenth century; the *Ikhwan* organizations of the two movements have much in common; and both ended in the formation of Amirates, or small Islamic States.

Both movements have created States, the Wahhabi in Arabia and the Sanusi in Cyrenaica, based explicitly on religious particularism. In doing so they have only done what any movement of the kind is bound to do in a barbarous country if it is to continue to exist, namely, to create an administrative system which would ensure a measure of peace, security, justice, and economic stability. A religious organization cannot exist apart from a polity of a wider kind. But they did not create the sentiment of community which made the growth of governmental functions and the emergence of a State possible.

Religious divisions in Islam have commonly been the expression of a sense of social and cultural exclusiveness. The support given to the 'Alids in Persia and Arabia, to the Umayyads in Africa and Spain, to the Fatimids in Egypt, to the Kharijites by the Berbers in North Africa, and the adoption of extreme Shi'ite doctrines by the mountaineers of Syria and by the Kurds, and of Isma'ili teachings in parts of India, were all reactions against foreign domination as much as revolts against orthodoxy. The religious deviation was the expression of the intense desire

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

of a people to live according to their own traditions and institutions. To-day this desire is expressed in the political language of nationalism. In the past it was expressed in religious movements. Arab nationalism is not a new phenomenon. Only its dress is new.

As will be seen in the chapters which follow, conditions in Cyrenaica were particularly favourable to the growth of a politico-religious movement such as the Sanusiya became. It was cut off by deserts from neighbouring countries, it had a homogeneous population, it had a tribal system which embraced common traditions and a strong feeling of community of blood, the country was not dominated by the towns, and the Turkish administration exercised very little control over the interior. It was, as will be seen, the tribal system of the Bedouin which furnished the Order with its political foundations just as it was the tribesmen of the country whose hardiness and courage enabled it to stand up to the succession of defeats it had to endure.

The reasons for the political success of the Sanusiya Order in Cyrenaica will appear in the course of this account, and here I wish to draw attention to one of them only. It has been said that its rites and teachings were, like the Bedouin character, austere without being fanatical, and that it tolerated the cult of saints to which the Bedouin were accustomed, the Grand Sanusi becoming, in fact, a kind of national saint; but it must be added that the acceptability of its teachings and the fact that the Grand Sanusi could at once be placed by the Bedouin in the familiar category of *Marabtin*, holy men coming to preach and settle in Cyrenaica from the west, cannot alone account for the remarkable success of the Sanusiya movement. The Bedouin of Cyrenaica had heard similar teachings before from similar teachers and had paid them the same degree of attention as they paid to the Grand Sanusi, but these earlier missionaries won only a personal and local following for themselves and their descendants, whereas the Grand Sanusi established himself and his family as leaders of a national movement, a position they have now held for three generations. Leaving aside the remarkable personality of the Grand Sanusi and without here discussing whether the time at which he taught was particularly favourable to the growth of the move-

3:Evans-Pritchard E-4,5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942)
Sanusi

Distribution of Sanusiya Lodges in North Africa and Arabia.

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi
[P. 25]

CYRENAICA

1 al-Jarfan
2 Umm Rukba
3 Janzur
4 al-Marassas
5 Umm al-Razam
6 Umm Hafain
7 Martuba
8 Darna
9 al-'Azziyyat
10 Mara
11 Khashm Rzaiq
12 Maraziq
13 Bishara
14 Tart
15 Shahhat
16 al-Fayidiya
17 al-Makhili
18 al-Nayyan
19 al-Hamama
20 al-Haniya
21 al-Zawiya al-Baida
22 Qafanta
23 al-'Arqub
24 al-Qasrain
25 Talmaitha
26 Anbalu al-Huwaiz
27 Mirad Mas'ud
28 Qarabarbi
29 al-Marj
30 al-Qasur
31 Taukra
32 Dariyana
33 Asqafa
34 Banghazi
35 Umm al-Shakhanab
36 al-Tallimun
37 Msus
38 al-Qatafiya
39 Aujila
40 al-'Arq
41 al-Libba
42 al-Jikharra
43 al-Khatt
44 Marada
45 Jaghbub

EGYPT

46 al-Akhsab
47 al-Shih (Barrani)
48 al-Mithnan
49 Shammas
50 Najaila
51 Umm al-Rakham
52 Baqush (Sidi Harun)
53 *'Ailat* Bin Musa
54 Fuka
55 al-'Awama
56 al-Jamaima (al-Dhaba)
57 Abu-Shinaina
58 al-Hammam
59 Sidi Musa
60 Yadim al-Abairish
61 al-Ghait
62 Haush 'Isa
63 al-Qara
64 Gharmi
65 al-Zaitun
66 al-Sabukha
67 al-Gharbiya
68 Taba'
69 al-Bawiti
70 Mandisha
71 Farafra
72 al-Qasr
73 al-Rashda
74 Balat
75 Ismant
76 al-Qalamun

ARABIA

77 al-Wajh
78 al-Ais
79 al-Madina
80 al-Haura
81 Yanbu' al-Nakhl
82 Yanbu' al-Bahr
83 al-Khaif
84 al-Safra
85 Subh
86 Badr
87 Ziba
88 Rabigh
89 Jidda
90 Abu Qubais (Makka)
91 al-Tayif
92 Muna
93 al-Husainiya

TRIPOLITANIA

94 Ghadamis
95 Darj
96 Sinawin
97 al-Haraba
98 al-Rujban
99 al-Qal'a
100 Mizda
101 Tarabulis
102 Masallata
103 Bani Walid
104 Misurata (2)
105 Sirt
106 al-Naufiliya
107 al-Tabaqa
108 Hun
109 Saukna
110 Waddan
111 Zalla

FAZZAN

112 al-Fuqha
113 Birqin
114 Sabha
115 Ghudwa
116 Dlaim
117 Murzuq
118 Taghaghan
119 Umm al-Aranab
120 Zuwila
121 Tamassa
122 al-Qatrun
123 Wau al-Kabir
124 Wau al-Namus
125 Ghath
126 Qanit

AL KAFARA

127 Tazirabu
128 Bazima
129 Ribiyana
130 al-Hawari
131 al-Taj
132 al-Jauf

SUDAN

133 Bardai
134 Quru
135 Wajanqa al-Kabira
136 Wajanqa al-Saghaira
137 Yarda
138 'Ain Kalak
139 Faya
140 al-Fashir
141 Jabal Murrah
142 Abaish
143 Bir Alali
144 Jajiduna
145 Zinder
146 Kano

102
J95*
1971

4: Peters E-5 (1948-1950) 1970 MT9 Libyan Bedouin MT9
Cyrenaica

segments show a lineage depth of three generations, while others show as many as six. No special importance is attached by the Bedouin to this number, although some writers claim that a depth of five generations is of particular significance among other Arab tribes.[7] Normally, in speaking of the vengeance group, the Bedouin refer to the name of the ancestor of a tertiary tribal section. Any one claiming membership of this group, regardless of his precise generational relation to the offender or the victim is immediately and equally involved with its other members. When speaking of the group as such, the Bedouin refer to it as 'those who have agreed on the blood', and use the phrase *'amara dam* to refer to it. Blood money does not pass between its members, and political division does not occur within it.

These small tertiary sections of tribes, then, are small residential groups. Their population varies from one group to another, but most of them have a total population of 150 to 200 souls. Successive generations—at least according to the Bedouin view—add to these numbers, and also increase progressively the number of generations in their genealogies. Substantial increases of population would, of course, constitute a pressure on local resources, on the water available in the particular well of a group, on the amount of land available for ploughing, and on the pastures for animals at the end of the rainy season. Again, if each generation is to be added to the existing genealogy, this would necessitate a realignment of structural relationships with each succeeding generation. The discussion that follows is an examination of the ways in which adjustments are made to maintain an equilibrium between the population of a group and the carrying capacity of the land on which its members live, and of the ways in which the genealogical structure is able to persist in the face of various contingencies which threaten it.

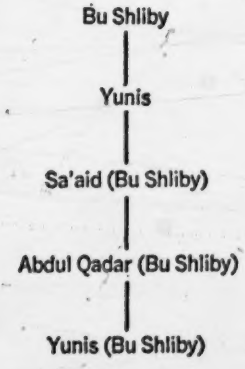
A beginning might be made by indicating the processes at work to keep the form of the genealogy fairly fixed when there is an absence of population pressure on resources. The first problem is the simple one of describing the mechanics of manipula-

[7] e.g. Burkhardt (1831), speaks of the *Khomse*, the five generation group, as very widespread among Arabs. C. W. Murray also reports the use of the word *Khomsa* among the Arabs of the Sinai desert to designate the blood-vengeance group, but the term used by the Aulad 'Ali tribe, the cousins and Egyptian neighbours of the Cyrenaican Bedouin, he gives as *Awlia'-ed-dam* (which simply means 'blood kindred').

4: Peters . E-5 (1948-1950) 1970 MT9 Libyan Bedouin MT9
Cyrenaica

tion which enable the genealogy to remain constant in length and fixed in form despite its dynamic content.

One of the main processes at work in foreshortening genealogies is that referred to by Evans-Pritchard as telescoping.[8] This process is also a characteristic feature of the Cyrenaican genealogy, although its effects, to be discussed presently, differ conspicuously. The way in which telescoping works in the Cyrenaican genealogy is that several male names come to be omitted in the genealogy below the name of the founding ancestor of the tertiary group. Usually, the form in which this occurs it that the name of a famous tribesman, and particularly his nickname if he has one, is retained along with the personal names of his lineal descendants in successive generations. The example given below is taken from the genealogy of the Haiba tertiary section of the Magharba tribe:



[8] 'It is evident, moreover, that since the minimal lineage consists of four or five actual steps in ascent, there has been telescoping of the agnatic line from the founder of the minimal lineage further up the line of ascent to the founder of the clan, for the founder of the minimal lineage was himself the extremity of another minimal lineage which has, by increase in generations, become the minor lineage, and so on' (Fortes & Evans-Pritchard 1940, p. 199). Since Evans-Pritchard first wrote on the telescoping of genealogies among the Nuer, other anthropologists have discussed the process in various systems. Fortes, Richards, Laura Bohannan, Cunnison, and Mitchell in their writings on the Tallensi, Bemba, the Tiv, the Luapula people, and the Yao respectively are notable examples . . . As the mode of manipulation of Bedouin genealogies is marginal to my present problem, the main comparison is not with these works but with Evans-Pritchard's earlier work on the Nuer, because the Bedouin and Nuer lineage system have more in common than either have with the other systems, excepting possibly the Tiv.

4: Peters E-5 (1948-1950) 1970 MT9 Libyan Bedouin MT9
Cyrenaica

cline in the total population of a tribe, then, the extinction of lines does not affect any order of segmentation superior to the tertiary. In this respect, the Cyrenaican genealogy differs fundamentally from those collected from the Nuer by Evans-Pritchard. In the quotation from his work on Nuer genealogies (1951), he asserts that telescoping occurs 'from the founder of the minimal lineage further up the line of ascent to the founder of the clan'. This major difference has serious implications for any discussion of lineage proliferation, but these must be left until the conditions under which proliferation is likely to occur have been analysed.

While it is true that the processes discussed are of importance in retaining the general shape of the genealogy, what is assumed so far is that the Cyrenaican population has been stable over long periods. Stability of population is not an unreasonable assumption to make for a people who live on the margin of subsistence in a country where extended periods of drought are not infrequent, though seldom leading, it is true, to actual famine conditions, but producing periodic and local food and water shortages. Disease, following quickly in the trail of shortage, it can be assumed, kept the relationship of total population to the natural resources fairly constant. What evidence there is does not support even this very general assumption, since it is known that there have been large-scale tribal wars in the past, and a certain amount of movement of tribes, some being displaced and others pushed eastwards into Egypt. Unless these shifts were caused by increases in the aggregate population and the consequent pressure on land and water, it is difficult to account for them. This consideration of possible overall increases in population in the past poses interesting problems related to lineage structure which cannot be adequately treated here. For the moment it is proposed to neglect possible increases in the total population during past periods in the history of Cyrenaica. The historical depth of the view now to be discussed is about seventy years, and for this period I have no evidence of any large-scale increases in population. It is reasonable, therefore, to assume a general stability of population for this period. But the vagaries of the Cyrenaican climate are such that, in a given year, one area might be well drenched with rain, giving excellent pastures for animals and good crops, while a nearby territorial strip might suffer a partial

4: Peters E-5 (1948-1950) 1970 MT9 Libyan Bedouin MT9
Cyrenaica

drought giving insufficient pastures and poor crops. Good or bad crops, poor or abundant pasture, in turn mean a higher or lower milk yield from the animals and better or worse living conditions for human beings. Such factors as these may well, over a number of years, lead to unevenness in the distribution of population throughout the tertiary sections. Whatever the cause, the genealogies show that the population of the numerous tertiary sections is unequal. Some are numerically so weak that they have to join a collateral section. Others are numerically so strong that their natural resources are insufficient to meet the needs of all their members. It was these latter segments which were in the process of splitting, and which in some cases have already done so. The next task, then, is to demonstrate where, on the genealogy, proliferation is effected.

We have seen that in Nuer genealogies segments proliferate at all orders of segmentation. Here, the process is a continuous one, beginning at any point in time within the minimal lineage and progressing upwards to the apex of lineage bifurcation. As particular names become significant within the minimal segment, they are retained and become a permanent addition to the genealogy. In order to include these successively additional names, names of ascending ancestors are shunted further and further into the genealogical past, until presumably the effect is felt at the topmost limit of the genealogy, when the names here are pushed out of the genealogical framework altogether, and forgotten for ever. More than this, the upward shift in names at each and every point in the genealogical line means also a consequent re-ordering of structural relationships, at all levels in the system. One vital difference between Nuer and Bedouin societies which may partly, at least, account for the different genealogical processes at work among them is that the Nuer, when they were studied by Evans-Pritchard, were expanding territorially, and that continuous proliferation of segments throughout the structure was the mode of dealing with a situation of expansion. The Bedouin, on the other hand, had suffered twenty years of terrible privation at the hands of the Italians, during which period thousands of them died in battle and in concentration camps, were shot up in their camps from the air, or died from want, before I went to live among them. Although I must confess that I now

5: Peters E-5 (1948-1950) 1967 MT9 Libyan Bedouin MT9
Cyrenaica

given to the feud, for this is one of the few societies in which it occurs.[1] What is meant here by a state of feud is a set of relationships between two tribal groups which are characterized by hostility whenever two or more of their members meet. These hostilities are of a sort which cannot be terminated; feud is not a matter of a group indulging in hostilities here at one moment and there the next, but a sequence of hostilities which, as far as the contemporary Bedouin are concerned at least, know no beginning and are insoluble. Feud and the other forms of relationships to be discussed presently are to be understood, in part, by reference to the ordered divisions of the tribes. It is necessary at the outset, therefore, to give a brief statement about the tribal organization; other details will be included as they become relevant.

There are nine noble tribes in Cyrenaica whose members are referred to as freemen. These tribes see themselves as divided into three genealogical orders of sections: primary, secondary, and tertiary. The tertiary tribal sections correspond to the camps which cluster around the larger watering points during the drought season, May to November. Such camps consist of clusters of smaller camps in which the concentration of agnatically related males is over 80 per cent. Within the latter kinship links are known, so that these agnates are consanguinely related as well as politically united. The populations of most tertiary groups vary from about 200 to 700 or so, but a group ceases to be viable if the number of male adults drops much below fifty. Political division is absent from these tertiary groups, regardless of their precise size, for, whatever may be the condition of developing local lineages, the acceptance of a common name carries with it full political responsibility incumbent equally on all their members. Each of these tertiary sections, moreover, has its own watering point, ploughland, and pastures; each has its own *watan* or homeland. This statement is true of all tribal sections of whatever order of segmentation. In other words, the tribes and their sections correspond to an ordered division of the territory.

Names of tribal sections are the same as those given in the genealogies. Both tribe and lineage are identically ordered. Lineages develop, and split at the tertiary order of segmentation,[2] and, *a fortiori*, the process is the same for the tertiary tribal sections. Split, in other words, occurs where relationships are most intense.

The summer community which constitutes a tertiary section, breaks up once the rains begin in November or December. At this time of the year water is readily available in the numerous small cisterns, there is pasture in plenty, and the animals are giving milk. These combined reasons lead the larger summer camp to divide into smaller camps of some five to ten tents. The latter are separated one from the other by short distances—a mile or so—but together form a cluster in that they are territorially distinguishable from a neighbouring and similar group of camps. Tertiary sections are discrete also in the sense that all the major necessities of daily living are available within their several territories. Each controls its own natural resources, and these resources are the same for all the camel-herding groups—in any given year one may have more of a particular commodity than another, but the difference is in

[1] Evans-Pritchard, 1940. The feud might have been present among the Nuer. Exogamy and the other rules of marriage which obtain among them create a dispersion of ties, which superficially appears to militate against a condition of feud. But a dispersal of ties does not mean that they necessarily act as a pressure for peace. Moreover, the exogamous links may link limited numbers of groups only, leaving others with sufficient discreteness to pursue feuding relationships as they are described in this paper.

[2] See Peters, 1959.

5: Peters E-5 (1948-1950) 1967 MT9 Libyan Bedouin MT9
Cyrenaica

south-west of the country. Most members of the two tertiary groups directly concerned in the dispute were present. The agnates of the collaterally linked groups of the principals were unrepresented; indeed collaterals of one of the principals made it quite explicit that they were opposed to their genealogical allies and considered their perusal of the matter tiresome. The bulk of the crowd present was made up of men linked to the principals in a variety of different and non-agnatic ways, and it was they who provided most of the argument once the issue had been opened. It follows, therefore, that an analysis of political organization and behaviour in Cyrenaica which is based on lineage theory leads to a gross misrepresentation. For, what I am arguing is not that the lineage model in its rarefied state is too simple, not that additional facts must be injected into it to complicate it, but that it does not provide an admissible basis for analysis.[1] The complication of something that is founded in error can only lead to complicated error, however many facts of real life are introduced in an attempt to give it substance. The Bedouin conception of their social relationships in terms of a genealogical ordering of groups is a fact of their social life, and in relation to some problems it is an important fact. My objection to the use which has been made of a people's ideology of their relationships is that it has been elevated from its status as a component of social life to such a position of universal dominance in all sets of social relationships that ' every sociological problem ', as Fortes writes of the Tallensi, ' hinges on the lineage system '.[2]

If the ordering of groups within the frame of the Bedouin genealogy is abandoned as a basis for analysis, it does not follow that the only remaining view is that of small groups of people distributed throughout the country enjoying relationships merely as units. Regularity in relationships does exist, it is urgently necessary, and it persists; but this regularity is not consistent with a lineage model. Ultimately, feud is a violent form of hostility between corporations which has its source in the competition for proprietory rights in land and water. This competition makes it necessary for groups to combine to prevent the encroachments of others in similar combinations and also to expand their resources whenever the opportunity arises. The significant groups in a discussion of the feud are these power groups, and it is their composition, the shifting alliances within them, the growth and diminution in the power of tertiary

[1] Dr. Paul Bohannan has distinguished in his writings between what he calls folk systems and analytical systems. The distinction, as he sees it, is set out clearly in the statement 'a certain field of Nuer relationships is explained by Nuer in terms of an agnatic genealogy. This is the folk system. The same field is explained, in English, by Professor Evans-Pritchard, as a lineage system based on the principle of segmental opposition. This is an analytical system' (Bohannan, 1957, p. 5). What is the difference? Is it only a difference of language? Bohannan's analytical statement is little more than a generalisation of what is in the folk system. An analytical system, in his hands, is a sophistication of a folk system, for it is the latter which provides him with his analytical framework. The act of creativity on the part of the social anthropologist about which he writes (Bohannan, 1963, p. 14) is the revealing of a folk system through analysis. But he does not depart from the framework set by informants—the agnatic genealogy is the lineage, and the fission and fusion of parts, the opposition of like segments and so on is explained by informants in different languages as adequately as it is explained by social anthropologists in English. Bohannan's viewpoint is made clearer, perhaps, in his discussion on the arrangement of facts relating to Tiv law. Here he considers what he should do once he has elicited all the facts, and he argues against setting them out as an arrangement of the procedural law of Tiv courts because, 'The error would be that the arrangement is not part of *the Tiv way of looking at it*, and hence would be false' (Bohannan, 1957, p. 69. Italics mine). Why? The Tiv are not the social anthropologists. Is the test of an analytical model its consistency with a folk comprehension?

[2] Fortes, 1945, p. 30.

between man and man, although the various cereal dishes which constitute their regular meals are said to have a similar effect.

The son who continues to eat with his father "as he always had been doing," also continues to accept his authority. Indeed he could do little else at this stage, for he lacks the economic means to cut away. Neither at marriage nor after is there any transfer of wealth from father to son. The new tent recently pitched is no more than a dormitory to which the young couple retire at night. During the daytime the son is still to be seen in his father's tent, and, in the male quarters, things appear to be much the same as before. In the female quarters, the only superficial change is the more frequent appearance among the women of one who, before marriage, often sat among them if she had been a close neighbour or a close cousin previously; or of an additional helper if she had come from afar. On the surface things remain "as they always have been," although in fact, a whole set of changes have been initiated.

Rites de passage are few among the Bedouin. A man's progress in life is ceremonially marked by only four events: his birth, circumcision, marriage and burial. His development into manhood is not marked by clearly defined stages. About the age of seven, the henna markings on the front of a boy's shirt for protection from the evil eye are not renewed, the cowrie shell stitched to the front of his cap as a kind of talisman against the evil eye is removed and he is no longer permitted free access to the women's quarters. As he grows older, he will be instructed in goat-herding, and later taught to follow the sheep. In his late teens he will have to undertake the more arduous and responsible task of herding the camels. Coincident with camel-herding, he may be given a gun by his father. Shortly afterwards he must undertake the stringent test of manhood, a journey to a distant oasis for dates. These changes are not marked off by a *rite de passage*. The rites a man undergoes during the course of a lifetime are minimal, and in the sense that they are concerned with only the basic events in a man's life anywhere (save for circumcision, which is a minor celebration anyway), they are irreducible. Moreover, the rituals which exist do not comprehend the same multiplicity of relationships as rituals which occur in many other African societies.[4] It is true that the ceremonies referred to in this chapter by no means include all the Bedouin rituals. It is also true that the events mentioned vary in elaboration, and in the number of symbols present in them, but they are not multiplied or reduced for different people.

In this context it is important to stress that we are here dealing with a lineage society where social differentiation is not built up into differences of rank, where the roles to which a man succeeds are almost wholly captured by his kinship relationships with other men and which are sociologically to be distinguished from the roles a man enters into by acquisition of office,

[4] See, for example, the elaboration of rituals discussed in M. Gluckman (Ed.), *Essays on the Ritual of Social Relations*. Manchester: University of Manchester Press, 1962.

Cases

The Meaning of Marriage

581 Until marriage the changes in a man's life have been in the nature of
585 an ordered sequence of development from a child to be cared for — the only
342 time in his life when a father, without inhibition, showers on him his love
[593] and affection — to one who, by degrees, makes an increasing contribution to a production unit. Marriage necessitates that a man pitch a tent for himself. With a tent he becomes a potential host and protector of others. The local idiom for marriage is "to set up a tent." It would be quite improper to use
[196] the verb "to marry" when inquiring whether a marriage has taken place
[195] since this verb also has the meaning of "to have sexual intercourse." Instead the euphemism, "Have you pitched a tent?" is used. The Arabic word for a tent in this context is *Bait*. It is not used to refer to a military tent, nor to the small tent which shelters only a widow. It is reserved for the Bedouin tent, which usually has a wool top, and, most importantly, holds the promise of the continuation of life, whether it shelters a newly married couple, a mature family or young unmarried people. (The word *Bait* represents a complex concept, and it would be too much of a diversion here to discuss the various points of its significance. It is essential to understand that its
[718] meaning is not confined to a tent in the physical sense.) Its top has *Baraka* (divine goodness) in it; the quality of *Haram*, which makes it possible for the tent to be used as a sanctuary, is associated with it and this quality of *Haram* extends, moreover, to the ropes of the tent, so that anyone who clutches them comes under the protection of the owner. In it, the wife must permanently reside and her husband has the legal right to insist on this. In it too, he has the legal right of sexual access to a woman, his wife. Any children
[885] born in it he can claim as his own. With the erection of a tent the son reaches adulthood, and it is in this sense that he can be said to have acquired a domain of his own.

581 Marriage gives a son greater freedom and less dependence on his father
585 in another sense. A second euphemism used for marriage is "making a
[593] relationship," specifically an affinal one. Relationships between a man and
[195] his father-in-law are diverse and are used in various ways in different situations. Here, the particular aspect which needs to be stressed is that a man
606 can cajole his father-in-law, and (through his wife) wealth, in the form
425 of animals, may pass from the former to the latter. Reciprocal gifts are passed
556 between affines on certain occasions, but in addition small amounts may pass which are not connected with the formal occasions of exchanges. Debt
583 lies between them. It begins with the initiation of marriage negotiations,
584 when the suitor's kinsmen take a prescribed number of sheep to present to
606 the girl's father if negotiations are successful. They promise to transfer bride-wealth[9] to the girl's father. A few weeks after the marriage, the hus-

[171] [9] I use the word "bride-wealth" because it has become so familiar in the literature, but the only similarity between the *Sahiba* of the Bedouin and the bride-wealth of

6: Peters E-5 (1948-1950) 1965 MT9 Libyan Bedouin MT9
Cyrenaica

band is required to take gifts to his mother-in-law in recognition of the fact that she nourished his wife as an infant (the literal meaning of the word used for this gift is "milk"). A return visit is made and gifts are given to the daughter. When the first child is born an animal is presented by the affines, and if the child is a male, the gift may be several sheep, or even a few camels if the father-in-law is very wealthy. Formal exchange of gifts continue, but, in addition, informal transfers are made. Moreover, if relations between a man and his father-in-law develop favourably, it is not uncommon for a young husband, during the early years of marriage, to move away from his father and pitch his tent alongside that of his father-in-law. Marriage gives a son affinal relations of his own. Affinity can alleviate the dead weight of paternal authority.

It is suggested that the crisis the marriage of a son assumes for a father is the shift it entails in the distribution of authority. This is borne out by other details in the marriage ceremony referred to earlier. Ordinarily, young men dare not sing within earshot of their senior agnates. Far from allowing obscenities, agnates of the ascending generation would not allow even a mention of women to be made by young men, in their presence. In a group consisting of young men and an agnate, I chanced to use the noun for woman and immediately my tent was cleared of all but the senior agnate. At a wedding the young men revel in their lewd songs and shout their obscenities for all to hear. The senior agnates stand aside and make a show of ignoring the proceedings. And well they may, for each marriage is a challenge to the exclusive authority they have enjoyed; each nuptial tent is an invasion of the domain of which they have been undisputed masters. Marriage is the only occasion when the men of one generation can clap and sing their defiance of an older one, and give warning of the changes which must be accommodated however great the pretence that nothing has happened.

Marriage ceremonies dramatise the clash between adjacent generations over the distribution of certain forms of authority. If this authority is as overwhelming as has been suggested, and if it is so deeply resented, how is it that life is endurable for juniors? Relationships between junior and senior agnates are so restrictive that they almost amount to what Professor Fortes has suggested I view as a form of avoidance relationships. Juniors must always defer, they must obey commands promptly, they serve their seniors, they must accept a lead when it is given and the restrictions on conversations exclude all reference to women, marriage or sex. These are not simply a set of general guides for behaviour, they are rigidly applied rules, deviation from which is countered with rebuke or greater severity. It would appear from this

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many African societies is that wealth is transferred. Obviously, in societies where the rules of exogamy compel a dispersion of links outside a man's own clan, what is involved in this transfer of wealth cannot be sociologically similar to one in which marriage to the first cousin on either side is permitted.

8: Kennett G-5 (ca. 1921) 1925 MT9 Libyan Bedouin MT9

CHAPTER VII

BLOODMONEY—WESTERN DESERT

000 Payment in Cash—Agreements to pay—Reprisals discouraged—Patricide—Detective Work—Death from Fright—Public Aversion—The twelve-year-old Bill—Informers—Ali Abu Bukr's Cistern—The Broken Rope—Found Drowned—Three Months' Hard Labour—Whose Rope?—Payment—The Old Man who fell off the Wall—The Clutches of the Police—A Well-conceived Lie—Ibrahim's Broken Leg—Ali's Cunning—The Fiasco at the Tomb—Reductions in Payment—The Dead Baby—Amateur Lawyers—The Two Shepherds and the Trespasser—Stick or Stone?—Legal Arguments—Travelling Allowance—Misappropriation—Chaos—Mirtah buys Sheep, while the Sayed buy Dates—The Clash—£300—Abdel Kerim and his Cousin—The Boys Fight—Result of pointing a Gun—Dirty Fingers—Serve him Right—The Two Married Sisters—A Gun Accident—Poor Towida—Successful Bluffing.

682 [171] [435] [562] In the Western Desert the laws of bloodmoney differ considerably from those of Sinai, the former being of African origin and the latter of Arabian. The Western Bedouin regard the price of a man as £300, irrespective of the market price of a camel; and the value of a woman's life as normally £150, or half that of a man.

682 695 562 In the absence of satisfactory evidence in a case of murder, if the oath be employed to decide the issue, fifty men will swear for a man's life, and twenty-five in a case involving the life of a woman. (NOTE. In some tribes these numbers are increased to fifty-five and twenty-seven respectively.)

682 621 As regards the payment and acceptance of bloodmoney, this is almost invariably by agreement between the families, and it is often difficult for an outsider to see any rhyme or

8: Kennett G-5 (ca. 1921) 1925 MT9 Libyan Bedouin MT9

reason in three families of one tribe paying together, while the fourth is independent. Sometimes this is caused by geographical separation, at other times by personal animosity or jealousy.

The main difference between the rules of the Western Desert and Sinai is that in the West reprisals taken at the discretion of an aggrieved individual are not recognised as lawful, and are distinctly discouraged. Generally speaking, the Western Bedou is a very much more prosperous and law-abiding person than the Sinai Arab, although at the same time he retains his charm as a primitive and independent being. Occasionally a dastardly murder takes place, but public opinion is very strong not only against the murderer personally, but against all the members of his family, who automatically share his unpopularity.

In the spring of 1920 an old man, reputed to possess considerable wealth, both in camels and sheep and also in gold buried in the ground, was returning about mid-day from market riding his donkey, and one of his numerous grown-up sons was walking on foot beside him. After going four or five miles in the open desert, the old man got off his donkey, and told his son to ride for a little way while he walked. The son suddenly attacked his old father and hit him with the heavy stick he was carrying; and the poor old man died almost at once with a broken skull. There was nobody about, and the son dragged his father's body about a hundred yards, and threw it down an old dried-up cistern; then, mounting his donkey, he rode home to dinner.

That afternoon the local sheikh was told of the old man's disappearance, and as he had seen father and son leaving the market together, he had his suspicions. He traced their footsteps, picking up the tracks of a heavily laden donkey and one man walking, from near the entrance to the market place. Then, following along carefully on these tracks, he saw where the old man had dismounted. Then he saw a spot of blood and the place where the

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should have called a meeting with Abd el Salam, discussed the position sensibly with him, and then the two of them should have beaten all the boys soundly. Secondly, he ought never to have taken his gun with him, which was as stupid as it was dangerous. The fact that Abd el Kerim himself knew that it was not loaded made not the slightest difference to the case, as the boys did not, and could not, know whether it was loaded or not. As one of the sheikhs expressed it, "If you point a gun at me, loaded or unloaded, I'm not going to risk it. So if I retaliate by braining you, then that's your fault—not mine!"

As compared with some of the customs obtaining among the Sinai Arabs, the following case among the Aulad Ali in the Western Desert is illuminating, and will be quoted in full. The question of who is "chief mourner" of the deceased, and who draws the largest share in a bloodmoney case varies considerably between the tribes of Arab and Berber origin. Among the Aulad Ali a woman killed is automatically half the value of a man, whereas among the Arabs the value of a woman depends on a variety of conditions.

A man called Idris had two daughters, Towida and Beida. Beida married a man called Korayem Shushan of the Gereidat tribe, and Towida married Farag Gueida of the Mowalik tribe. A son had been born to Towida and Farag called Lataif Farag; and when Lataif was about four years old, his parents quarrelled about some trifling matter, and Farag divorced Towida. Two months after this, Towida went to spend a day or two with her sister Beida and Korayem, and it was while sitting alone in their tent that the accident happened which was the cause of this lawsuit. It seems that Korayem had left a loaded gun tied up with cord to the roof of the tent, suspended from the poles. While Towida was sitting there, a sudden gust of wind got up, and shook the tent violently. As the tent rocked in the wind, the gun came tumbling down on to a wooden chest between the poles; the impact fired the